

Licensing Policy Committee

Minutes of a meeting held on 10 March 2023

Acting under Delegated Powers

Present: Councillor Grimshaw (Chair).
Councillors Davies, Evans and Flanagan

Apologies: Councillors Leech and Rawlins

LPC/23/01 Minutes

It was raised that the minutes for the previous meeting referenced a report on the progress of a gambling harm reduction programme being brought to this Committee but that had not happened. The Principal Licensing Officer stated their apologies that this had not been done but they were working on a report that linked to this programme that would be due before this Committee in the future.

Decision

To approve as a correct record the Minutes of the meeting held on 15 November 2021.

LPC/23/02 Review of Statement of Licensing Policy 2023 - 2028

The Committee considered a report that presented a draft revision of the Statement of Licensing Policy under the Licensing Act 2003 and the proposed method of consultation. Officers' recommendations were:

- i. To agree the draft revised Statement of Licensing Policy be consulted on
- ii. To request officers to consult the statutory consultees and other appropriate persons in accordance with the proposed consultation strategy.
- iii. To request officers to bring a further report to the Committee following that consultation, detailing any consultation responses and any consequential proposed amendments to the draft policy.

The Principal Licensing Officer presented the report, stating that the Licensing Act 2003 covers the following Licensable activities: Sale or supply of alcohol, Provision of regulated entertainment, Provision of facilities for regulated entertainment and Provision of late-night refreshment. The review aimed to deal with specific changes related to licensed premises since the policy was last reviewed. These included Women's Safety, Spiking, Vulnerability, Martyn's Law, and Shadow Licenses. The review aimed to take a more area-based focus with specific objectives, noting areas with a 'cluster' of licensed premises. The policy aimed to encourage a diversified and balanced licensed economy, with specific thoughts on style and type of venue, location, hours and operating standards.

There was a focus on venue diversity, density and availability, with the ultimate aim to promote growth. The policy wanted to ensure that there was an appropriate mix of venue types, including non-alcohol related venue types. It was aiming to encourage the positive development of clustering of Licensed Premises. The review wanted to contribute to cultural vibrancy without unduly impacting the local area.

It was noted that it can be difficult to clearly establish the intended nature of a venue from the information required in an application. The policy looked to change this by recognising there are different styles of operation and promoting additional information being provided with applications relating to this, such as a plan of management to set out the concept of a business. This will assist in determining the impact of the business on the local area.

Within area based considerations, the special policies related to Ancoats, Fallowfield and Withington were to be retained, whilst broadening the scope of the policy to consider all areas with notable clusters of licensed premises or emerging areas. The policy proposed a more conservative approach for alcohol-led venues in some city centre areas. The Cumulative Impact Policy for Fallowfield was revised to a more nuanced approach but retaining a strict approach towards certain new licenses, including alcohol-led venues or takeaways. The special policy for Ancoats remained in the revised policy but the wording had been amended to be more consistent with the general approach of Section 6 of the policy.

New considerations to Temporary Event Notices were proposed, particularly relating to those where multiple TENs were requested and the appropriateness of a TEN for boxing and other compact sport events. It was noted that TENs are limited in the options for Licensing Sub-Committee Hearing Panels in terms of the decisions they can take.

The policy review also aimed to address the occasional situations where a licence review is submitted and then a licence transfer application follows shortly afterwards. The policy aimed to ensure there is a clean break from the operator of the licence when the review was submitted.

The policy was to go to public consultation, with a further report to be brought back before the Committee following this.

The Committee were invited to comment and ask questions.

Questions arose relating to the dates for the consultation period, and that there was little the policy could do to prevent noise at a distance created by venues. In terms of noise at a distance, it was noted this was difficult as it is not something in the control of the venue. The consultation was confirmed to go out following the election period, but no specific dates had been set.

A question relating to delivery services was posed, noting complaints regarding the behaviour of delivery cyclists and non-recognition of the rules of the road. The difficulties of control were noted due to the use of third-party delivery services and there was uncertainty of how Licensing Policy could be used to assist with this problem.

It was queried if layout maps as part of an application could be made available to the public, why China Town was not referenced as a residential population, and whether national legislation prevents wider consultation on TENs. The Principal Licensing Officer confirmed that only the responsible authorities can make representations for TENs. They stated that the policy would be updated to reflect the residential population in China Town. It was also confirmed that layout maps were not provided for security reasons but that they can be viewed upon an appointment being made.

In response to a question relating to management of public highways during peak times, the Principal Licensing Officer stated this related there was sufficient passageway that it not obstructed through queues and smoking areas. The cumulative effect can always be considered upon applications being made. They noted that any issues with taxis and traffic was a wider consideration outside the policy.

A member requested that further guidance is provided to applicants related to disabilities and accessibility.

The Chair noted that the guidance related to reporting any issues needed to be stronger in terms of the information provided on who to report to. The Chair welcomed the report and thanked Officers for it.

Decision

1. To agree the draft revised Statement of Licensing Policy be consulted on.
2. To request officers to consult the statutory consultees and other appropriate persons in accordance with the proposed consultation strategy.
3. To request officers to submit a further report to the Committee following that consultation, detailing any consultation responses and any consequential proposed amendments to the draft policy.